

ATTORNEY DOCKET NO.: 483540.004 (IRV-104)

Declaration, Power of Attorney, and Petition

As a below named inventor, I/we hereby declare that:

My/Our residence, post office address and citizenship is/are as stated below next to my/our name(s),

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

| | | is attached hereto; or | | |
|--------|---|---|---|--|
| | × | was filed on March 14, 1997 as Ap | oplication Serial No. 08/816,097 and (if applicable); or | was amended on |
| | | PCT FILED AF | PPLICATION ENTERING NATION. | AL STAGE |
| 122 | ٥ | was described and claimed in I | nternational Application No nended on | filed on (if applicable). |
| | cluding the claims, | We hereby state that I/we have review as amended by any amendment refer ject matter for which a patent is sout | ed and understand the contents of the tred to above, and that it contains a fught. | above identified specification, all, clear, concise and exact |
| Ü Ü | I/w ccordance with Title | e acknowledge the duty to disclose i 27, Code of Federal Regulations, § | nformation which is material to the end. 1.56(a). | xamination of this application in |
| | fany foreign applic | ation(s) for natent or inventor's certif | claim foreign priority benefits under ficate listed below and have also iden ore that of the application on which p | tified below any foreign application |
| | | | | |
| 4 | | Prior Fo | reign Application(s) | |
| 4 | | Prior Fo | reign Application(s) | Priority Claimed? |
| | Number) | Prior Fo | Day/month/year filed | Yes No |
| | Number) Number) | | | Priority Claimed? Yes No Yes No Yes No |
| | Number) States application(s) prior United States a | (Country) (Country) (Check if applicable) I/We hereby of the listed below and, insofar as the subject of the polication in the manner provided by the disclose material information as | Day/month/year filed | Yes No Yes No |
| | Number) States application(s) prior United States a acknowledge the dut occurred between th | (Country) (Country) (Check if applicable) I/We hereby of the listed below and, insofar as the subject of the polication in the manner provided by the disclose material information as | Day/month/year filed Day/month/year filed claim the benefit under Title 35, Unite ect matter of each of the claims of this the first paragraph of Title 35, Unite defined in Title 37, Code of Federal and the national or PCT international 1995 Pending | Yes No Yes No |
| | Number) States application(s) prior United States a | (Country) (Check if applicable) I/We hereby of listed below and, insofar as the subject polication in the manner provided by to disclose material information as the filing date of the prior application of Cotober 27, | Day/month/year filed Day/month/year filed claim the benefit under Title 35, Unite ect matter of each of the claims of thi y the first paragraph of Title 35, Unite defined in Title 37, Code of Federal and the national or PCT international 1995 Pending | Yes No Yes No |
| | Number) States application(s) prior United States a acknowledge the dutoccurred between the 08/549,385 | (Country) (Check if applicable) I/We hereby of listed below and, insofar as the subjupplication in the manner provided by to disclose material information as e filing date of the prior application of Cotober 27, | Day/month/year filed Day/month/year filed claim the benefit under Title 35, Unite ect matter of each of the claims of this of the first paragraph of Title 35, Unite defined in Title 37, Code of Federal and the national or PCT international 1995 Pending Status (Patented, | Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No 120 of any United to the ed States Code, § 120, I/we Regulations, § 1.56(a) which filing date of this application: |







☐ (Check if applicable) In this continuation-in-part application, insofar as the subject matter of any of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

I/We hereby declare that all statements made herein of my/our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I/we hereby appoint:

Allen D. Brufsky, Reg. No. 21,056 Barry Kramer, Reg. No. 20,622 Michael P. Dilworth, Reg. No. 37,311 Scott D. Wofsy, Reg. No. 35,413 Immac J. Thampoe, Reg. No. 36,322

of the firm of CUMMINGS & LOCKWOOD, whose address is Four Stamford Plaza, P.O. Box 120, Stamford, Connecticut 06904-0120, as my/our attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Please address all written correspondence to the following address: CUMMINGS & LOCKWOOD
Four Stamford Plaza, P.O. Box 120
Stamford, CT 06904-0120
Fax (203) 351-4534,

Telephone Calls should be directed to Barry Kramer, by dialing (203) 351-4522.

Wherefore I/we pray that Letters Patent be granted to me/us for the invention or discovery described and claimed in the foregoing specification and claims, and I/we hereby subscribe my name to the foregoing specification and claims, declaration, power of attorney, and this petition.

Full name of sole or first inventor: William B. TELFAIR Residence: 3997 Starview Drive, San Jose, CA 95124

Citizenship: USA

Post Office Address: 3997 Starview Drive, San Jose, CA, 95124

Inventor's signature 2

Date 6/10/97

Full name of second joint inventor: Hanna J. HOFFMAN

Residence: 1049 Metro Circle, Palo Alto, CA 94303

Citizenship: USA

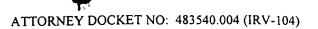
Post Office Address: 1049 Metro Circle, Palo Alto, CA, 94303

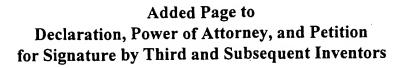
Second Inventor's signature Hama f. Hof

Date 6/1/97

☑ (Check if applicable) ATTACHED IS ADDED PAGE TO DECLARATION, POWER OF ATTORNEY, AND PETITION FOR SIGNATURE BY THIRD AND SUBSEQUENT INVENTORS.

S2998851.DOC 05/30/97





| Full name of third joint inventor, if any: Henry ZENZIE Residence: 145 High Street, Chelmsford, MA 01824 Citizenship: USA Post Office Address: 145 High Street, Chelmsford, MA 01824 Fourth Inventor's signature | Date 6/25/97 |
|--|--------------|
| Full name of fourth joint inventor, if any: Peter MOULTON | |
| Residence: 142 The Valley Road, Concord, MA 01742 | |
| Citizenship: USA | - / / |
| Post Office Address: 142 The Valley Road, Concord, MA 01742 Third Inventor's signature | Data 6/16/97 |
| Third Inventor's signature | Date Ello & |
| Ų | 1 (|
| Full name of fifth joint inventor, if any | |
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| ResidenceCitizenship | |
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| | 3997 Starview Drive | | |
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| | San Jose, CA 95124 | | |
| defined in 13 CFR 121.3-18, and (b) of Title 35, United St does not exceed 500 persons average over the previous fis during each of the pay period indirectly, one concern control both. | and reproduced in 37 CFR 1.9 (ates Code, in that the number of For purposes of this statement, cal year of the concern of the pe ls of the fiscal year, and (2) conc ols or has the power to control the | d), for purposes of purposes of purposes of the country (1) the number of entrons employed on a terms are affiliates of the other, or a third part of the country (1) the country (2) the country (3) the country (4) the coun | a qualifies as a small business concern as aying reduced fees under section 41(a) oncern, including those of its affiliates, imployees of the business concern is the full-time, part-time or temporary basis each other when either, directly or early or parties controls or has the power to |
| I hereby de | clare that rights under contract of the invention of the | or law have been con on entitled by invent | veyed to and remain with the small tor(s) described in |
| | | • | • |
| the specification filed by application serial no. | 08/549,385 | , filed | 10/27/95 |
| X application serial no. | 00/3 (2,500 | , issued | |
| 11 Luciana annon under | 37 CER 19 (d) or a nonprofit org | anization under 37 CI | by any concern which would not qualify as a FR 1.9 (e). |
| small business concern under | 37 CFR 1.9 (d) or a nonprofit org verified statements are required invention averring to their statu | anization under 37 Ct from each named per | rson, concern or organization |
| small business concern under | 37 CFR 1.9 (d) or a nonprofit org | anization under 37 Ct from each named per | rson, concern or organization |
| small business concern under *NOTE: Separate having rights to the | 37 CFR 1.9 (d) or a nonprofit org | from each named per s as small entities. (| rson, concern or organization |
| *NOTE: Separate having rights to the NAME ADDRESS INDIVIDUAL NAME | 37 CFR 1.9 (d) or a nonprofit org verified statements are required invention averring to their statu | from each named per s as small entities. (| rson, concern or organization (37 CFR 1.27) |
| *NOTE: Separate having rights to the NAME ADDRESS INDIVIDUAL | 37 CFR 1.9 (d) or a nonprofit org verified statements are required invention averring to their statu | from each named person sas small entities. (| rson, concern or organization (37 CFR 1.27) |

William B. Telfair

3997 Starview Dr., San Jose, CA 95124

President

Attorney's

Docket No

William B. Telfair, et al.

APPARATUS FOR REMOVING CORNEAL TISSUE WITH INFRARED LASER RADIATION

an official of the small business concern empowered to act on behalf of the concern identified below:

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37 CFR 1.9(f) and 1.27(c)) - SMALL BUSINESS CONCERN

08/549,38

I hereby declare that I am

the owner of the small business concern identified below:

IR Vision, Inc.

patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING

S1989941.DOC 01/25/96

ADDRESS OF PERSON, SIGNING

TITLE OF PERSON OTHER THAN OWNER

10/27/95

Applicant or Patentee:

NAME OF CONCERN

Serial or Patent No.:

Filed or Issued:

For:

Ö

 483540.001

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